



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/747,967

12/29/2003

Hamid Ould-Brahim

48865-0022

9017

23577 7590 09/30/2011

RIDOUT & MAYBEE LLP  
225 KING STREET WEST  
10TH FLOOR  
TORONTO, ON M5V 3M2  
CANADA

EXAMINER

SILVER, DAVID

ART UNIT

PAPER NUMBER

2128

MAIL DATE

DELIVERY MODE

09/30/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/747,967	<b>Applicant(s)</b> OULD-BRAHIM, HAMID	
	<b>Examiner</b> DAVID SILVER	<b>Art Unit</b> 2128	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 21-24 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 21-24 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

Art Unit: 2128

**DETAILED ACTION**

1. Claims 21-24 are currently pending in Instant Application.

Art Unit: 2128

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Zelig et al. **(US 20040037279 A1)**.

Zelig discloses: 21. An intermediate node in a multihop pseudo-wire comprising:

a forwarder configured to: terminate a first pseudo-wire segment of said multihop pseudo-wire, where a description of said first pseudo-wire segment includes;

as a target, an attachment individual identifier associated with said forwarder **(the MAC address / target node)**; an attachment group identifier, said attachment group identifier specifying a group in which a set of forwarders are members, said set of forwarders including said forwarder **(it is noted that a set can include zero or more items; ¶ 55 – the IP destination for a multicast)**

originate a second pseudo-wire segment of said multihop pseudo-wire, where a description of said second pseudo-wire segment includes;

as a source, said attachment individual identifier associated with said forwarder; and said attachment group identifier; **(forwarding logic ... Fig 1, 2 (item 34 "forwarding engine") and Figs' descriptions; individual identifier ... Fig 4 5 and their descriptions; ¶ 68 IP SA / IP DA)**.

As per claims 22-24, note the rejection of claim 21 above. The Instant Claims recite substantially same limitations as the above-rejected claim and are therefore rejected under same prior-art teachings.

Art Unit: 2128

3. Claims 21-24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Anthony J. Li et al.

**(US 5,473,599).**

Li discloses: 21. An intermediate node in a multihop pseudo-wire comprising:

a forwarder configured to: terminate a first pseudo-wire segment of said multihop pseudo-wire, where a description of said first pseudo-wire segment includes; as a target, an attachment individual identifier associated with said forwarder; and an attachment group identifier, said attachment group identifier specifying a group in which a set of forwarders are members, said set of forwarders including said forwarder **(col: 2 line: 17-21: address of the virtual router correlates to the group identifier – as the virtual router is an aggregation of real routers )**; and originate a second pseudo-wire segment of said multihop pseudo-wire, where a description of said second pseudo-wire segment includes, as a source, said attachment individual identifier associated with said forwarder **(col: 8 line: 19-23; col: 2 line: 16-30).**

As per claims 22-24, note the rejection of claim 21 above. The Instant Claims recite substantially same limitations as the above-rejected claim and are therefore rejected under same prior-art teachings.

### ***Conclusion***

4. All claims are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Silver whose telephone number is (571) 272-8634. The examiner can normally be reached on Monday thru Friday, 10am to 6:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2128

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/ David Silver /  
David Silver, Primary Patent Examiner  
Art Unit 2128